

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARK WARD,

Plaintiff,

-v-

RAGEON, INC. et al.,

Defendants.

19-CV-1935 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

Following a bench trial in this copyright infringement case, this Court found in favor of Plaintiff Mark Ward and awarded statutory damages in the amount of \$60,000 against Defendant RageOn, Inc. (*See* Dkt. Nos. 47–48.) Ward subsequently moved for an award of attorney’s fees and costs pursuant to 17 U.S.C. § 505. (Dkt. Nos. 49–51.) On February 13, 2020, the Court granted a motion by RageOn’s counsel to withdraw and gave RageOn until March 13, 2020, to obtain new counsel. (Dkt. No. 54.) RageOn’s principal requested an extension of time to have counsel appear, which the Court granted, to April 7, 2020. (Dkt. Nos. 57–58.) Counsel for RageOn has not appeared, and Ward’s motion for fees and costs is unopposed.

Having reviewed the submissions in support of Ward’s motion for fees and costs, the Court concludes that the motion should be granted, substantially for the reasons stated in Ward’s memorandum of law. (*See* Dkt. No. 50.) In short, RageOn’s conduct and position in this case were characterized by delays and a lack of any meritorious defense. The Court has reviewed the documentation supporting Ward’s request for fees and costs and finds them to be reasonable.

Accordingly, Plaintiff’s motion for attorney’s fees and costs against Defendant RageOn is GRANTED. The Court hereby awards to Plaintiff attorney’s fees in the amount of \$34,310.00 and costs in the amount of \$2,837.20.

The Clerk of Court is directed to close the motion at Docket Number 49.

Counsel for Plaintiff is directed to mail a copy of this Order to Defendant RageOn, Inc.

SO ORDERED.

Dated: August 13, 2020
New York, New York



J. PAUL OETKEN
United States District Judge